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*THIRTY-FIRST SESSION*
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FOURTH COMMITTEE
13th meeting
held on
Tuesday, 2 November 1976
at 3 p.m.
New York

# SUMMARY RECORD OF THE 13th MEETING

Chairman: Mr. VRAALSEN (Norway)

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The meeting was called to order at 3.40 p.m.

AGENDA ITEM 25: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES: REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (A/31/23 (parts II, IV and V), A/31/23/Add.1, A/31/23/Add.4, A/31/23/Add.5 and Corr.1, A/31/23/Add.6, A/31/23/Add.7 (part I), A/31/23/Add.8 (parts I and III), A/31/23/Add.9 (parts I-III), A/31/23/Add.10, A/31/42, A/31/48, A/31/52, A/31/55, A/31/56, A/31/59, A/31/91, A/31/106, A/31/109, A/31/112, A/31/114, A/31/121, A/31/136, A/31/197, A/31/269, A/31/283, A/31/286) (continued)

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1. Mr. QUARTIN-SANTOS (Portugal) said that, at the thirtieth session of the General Assembly, his delegation had described the evolution of the decolonization process in Timor and, at the meetings of the Security Council on that question, had defined its Government's position on events in the territory, indicating the factors which had prevented Portugal from completing the process leading to the

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(Mr. Quartin-Santos, Portugal)

genuine exercise by the people of Timor of their right to self-determination and independence. His Government had also, on 8 September 1976, explained to the Special Committee of 24 its position on the most recent developments in Timor, which were claimed by some to conclude the decolonization process and to indicate that the people of Timor had fully exercised their right to self-determination.

2. His country fully accepted the application of resolution 1514 (XV) and other relevant United Nations resolutions, in particular resolution 3485 (XXX), to the Territory of Timor. It had also adopted the same attitude towards Security Council resolutions 384 (1975) and 389 (1976). All those resolutions reaffirmed the inalienable right of the people of Timor to self-determination and independence, a principle which was still the basis of Portuguese policy on that question and which was set forth in article 307 of Portugal's new Constitution.

3. The main problem was, however, not which principles were applicable, but rather how they should be applied. In that respect, his country was faced with difficulties arising from its limited practical capacity to deal with the Territory's present political situation. Its difficulties had been recognized by the General Assembly and the Security Council, and the latter had clearly conferred on the United Nations an essential role in resolving the question of Timor. His Government had welcomed that development and had expressed its readiness to provide the United Nations with all possible co-operation, in accordance with paragraph 3 of Security Council resolution 384 (1975). That co-operation had always been willingly given, as could be seen from paragraphs 28 and 30 of the annex to the report of the Secretary-General's Special Representative on his mission to East Timor (S/12011).

4. Since the adoption of the aforementioned resolutions, there had been several attempts to integrate Timor into the Republic of Indonesia, although both the General Assembly and the Security Council had requested Indonesia to withdraw its forces from Timor and to respect the Territory's territorial integrity and the right of its people to self-determination. His Government did not recognize the integration into Indonesia as having resulted from the effective exercise by the people of Timor of their right to self-determination, since it was not up to Indonesia alone, but to the United Nations to determine whether that right had been effectively exercised. The United Nations should therefore determine whether the solutions which had been adopted or were to be adopted, to decolonize the Territory were, or would be, in conformity with the fundamental principles of the Charter and with the various resolutions applicable to the matter. In that connexion, he referred to the statement by the Portuguese Minister for Foreign Affairs on 7 October 1976 to the Plenary of the General Assembly, to the effect that the problem of Timor was now within the purview of the effective application of the rights and duties recognized by the specialized organs of the United Nations, as the Portuguese Government was still not prepared to recognize de jure the integration of East Timor into the territory of another State as the result of a unilateral decision, but that the Portuguese Government was ready to accept a consensus of the United Nations on the matter, since it was sure that such a consensus would be in accordance with the principles which had always guided the United Nations.

(Mr. Quartin-Santos, Portugal)

5. His country deeply regretted the continuing loss of life and property caused by the fighting still waging in East Timor, and hoped that the United Nations would be able to take effective action to put a stop to the suffering of the people of Timor and guarantee their fundamental rights.

6. At the invitation of the Chairman, Mr. Alkatiri (Frente Revolucionária de Timor Leste Independente (FRETILIN) took a place at the petitioner's table.

7. Mr. ALKATIRI (Frente Revolucionária de Timor Leste Independente (FRETILIN)) said that, after five centuries of Portuguese colonial rule, during which the people of East Timor had gone through several phases of their struggle for national independence, they had finally forged their unity by placing themselves under the leadership of their legitimate representative, FRETILIN. From that moment, the struggle had taken a correct and organized form and the guns of the Portuguese colonial troops had become weapons of liberation in the hands of the people under the leadership of FRETILIN.

8. The enemies of the people of East Timor had continued to seek to divide the people in order to maintain their domination and exploitation and had even created two puppet associations: the Associação Popular Democrática de Timor (APODETI) and the União Democrática Timorense (UDT). Later, realizing that they could not simply ignore the existence of FRETILIN, which was based on the support of the masses, on the justice of its principles and on its long anti-colonial militancy, they had conspired to place those two puppet groups on the same level as FRETILIN.

9. In the early stages of its existence, FRETILIN had approached the Government of Indonesia in order to gain support for its aims. It had been disappointed to learn that it could not count on such support and that the Indonesia that had been born as a result of a long and bloody anti-colonial struggle was no more. FRETILIN hoped that the people of Indonesia would rewrite their glorious history and once again stand on the side of humanity, justice and internationalism.

10. On 7 December 1975, the armed forces of Indonesia had invaded the capital of the newly established Democratic Republic of East Timor. Both the General Assembly and the Security Council had adopted resolutions calling for the withdrawal of all Indonesian forces from the Territory without delay. In clear defiance of those resolutions, the Indonesian generals had launched a second massive attack on East Timor, using sea, air and land forces. At least 45,000 Indonesian troops were currently stationed in East Timor and were making a desperate attempt to control the Territory and to crush the nationalist forces. They had, however, succeeded in controlling only the capital, Dili, and the coastal areas that were accessible to naval bombardment. Even the President of Indonesia had been quoted as saying that the FRETILIN independence movement still possessed strength in the former Portuguese colony. The conflict in East Timor was the major war currently taking place in South East Asia, although the discrepancy in size and strength between the two opposing forces led many people to believe that the Democratic Republic of

East Timor was only a dead but wonderful dream. In fact, after nearly a year of armed aggression by Indonesia, that country had failed to achieve its military designs and the people of East Timor continued to resist successfully Indonesia's imperialist attempt to annex their homeland.

11. Following the collapse of the Portuguese fascist colonial régime, the process of decolonization had been slower in East Timor than in the other Portuguese colonial Territories. The various provisional Governments in Lisbon had not seriously and firmly implemented the process of self-determination and independence for the Territory and its people, and the Indonesian Government, in the week following the military coup in Lisbon, had set up a special task force for the purpose of incorporating East Timor into Indonesia through the manipulation of the Territory's internal affairs or, if that proved ineffective, by military intervention.

12. The Central Committee of FRETILIN, eager to promote friendly relations and co-operation with the Government of Indonesia, had in June 1974 dispatched a representative to Djakarta for talks with the Minister for Foreign Affairs, following which the latter had issued a letter stating that whoever would govern in Timor in the future after independence could be assured that the Government of Indonesia would always strive to maintain good relations, friendship and co-operation for the benefit of both countries.

13. Subsequently, the Indonesian Government had started a propaganda campaign, designed to intimidate the people of East Timor, stating that it would annihilate all communists in East Timor as it had done in Indonesia in the massacres of 1965-1966. Following a call by FRETILIN and UDT, which had formed a coalition, for speedy decolonization with a view to self-government and total independence within a period of five years, the Indonesian Consul in Dili had warned that Lisbon and Djakarta had reached agreement concerning the integration of East Timor into Indonesia as the only viable solution.

14. Faced with an imminent threat of invasion, the Central Committee of FRETILIN had called for the intensification of its programme of political education of the masses throughout the country, the establishment of a people's army, the mobilization of students to conduct literacy campaigns, and the establishment of production co-operatives to increase and diversify foodcrops. Health centres had also been created. In April 1975, two separate delegations of FRETILIN and UDT had visited Djakarta and had been assured that Indonesia had no plans to take over East Timor by force. FRETILIN had given full guarantees to the Government of Indonesia that an independent East Timor, under a FRETILIN administration, would spare no efforts to strengthen friendly relations with Indonesia and other neighbouring countries such as those in the Association of South East Asian Nations, Australia, Papua New Guinea, New Zealand and Fiji. Three weeks after the delegations had returned to Dili, UDT had unilaterally dissolved the coalition.

15. On 25 June 1975, the Portuguese Government had called for a summit meeting of the political forces in East Timor. The Central Committee of FRETILIN could not

(Mr. Alkatiri)

agree that Macao should be the venue nor could it agree with the agenda proposed by Portugal, in which the right of the people of East Timor to self-determination, independence and freedom had been regarded as negotiable. While the Portuguese Government and the puppet groups had gone ahead with the talks with a view to setting up a puppet régime in Dili, FRETILIN had intensified its political, educational and economic programmes among the peasants, workers, students and soldiers throughout the Territory. On 11 August 1975, UDT and APODETI, in collaboration with several Portuguese officials, had staged a coup in order to eliminate FRETILIN's leadership and to seize power. FRETILIN had, however, learned of the intended coup and had retreated to the countryside, whence it had proposed negotiations. Members of FRETILIN had instead been murdered and FRETILIN had subsequently issued a declaration of general armed insurrection.

16. From August to November 1975, FRETILIN had been in full control of the Territory. Peace and order had been restored, health programmes implemented, business and public activities normalized and communications with the outside world re-established. However, as early as September 1975, Indonesia had sent troops across the border and intense fighting had erupted. FRETILIN had sent numerous telegrams to the Secretary-General of the United Nations, the Security Council and States denouncing Indonesian intervention in East Timor. On 28 November 1975, the Central Committee of FRETILIN had made a unilateral declaration of independence, feeling that it had no alternative. The Democratic Republic of East Timor had thus been established.

17. The immediate response from Indonesia had been to make the puppet groups declare East Timor a part of Indonesia. Following the invasion by Indonesia, the Secretary-General, under Security Council resolution 384 (1975), had appointed the Director-General of the United Nations Office in Geneva as his special representative to undertake a mission to East Timor for the purpose of making an on-the-spot assessment of the existing situation and of establishing contact with all the parties in the Territory and all the States concerned in order to ensure the full implementation of the resolution. The Special Representative had failed to visit the areas held by FRETILIN and had landed only in the capital, which was occupied by Indonesian troops, and two other places. It was astonishing that in his report to the Secretary-General (S/12011, annex), the Special Representative had not mentioned the presence of Indonesian troops in the Territory. His attempts to contact the leaders of FRETILIN had been obstructed by Indonesian aerial and naval bombardment of every venue suggested by FRETILIN.

18. The Djakarta Government had announced that elections would take place for a "Popular Assembly" that would consist of 450 delegates, and that project had been pursued in defiance of the United Nations. It had been reported that the Assembly consisted of only 28 members, not 450, and that the handful of journalists attending its first meeting on 31 May 1976 had not been permitted to go to Dili but had been allowed to stay in East Timor for a total of only three hours during which time they had not been permitted to speak to delegates, much less to the general public, which had been kept away from the proceedings by armed Indonesian regular troops.

19. Subsequently, it had been announced that an Indonesian parliamentary mission would visit East Timor. Once again, neither the United Nations nor foreign diplomats had dignified that cynical act with their presence. The immediate consequence of the failure of that mission had been the refusal of Indonesia's partners in the Association of South East Asian Nations, namely, Thailand, Singapore and the Philippines, to give approval to Indonesia's policy in Timor. Indonesia had subsequently declared East Timor to be its twenty-seventh province.

20. In August 1976, the United States of America had warned Australia against antagonizing Indonesia because of United States interests in maintaining access to the straits that formed part of the territorial waters of the Democratic Republic of East Timor. United States complicity in the invasion of East Timor had been confirmed by the international press on 20 September 1976, when it had been revealed that the United States had delivered the first 3 of 16 jet aircraft and the same number of propeller-driven planes to Indonesia, both types eminently suitable for ground attack against East Timor and the dropping of napalm. It should be noted that both the President and the Secretary of State of the United States had been in Djakarta conferring about "imperialist stability" in post-Viet Nam South-East Asia.

21. The Australian and Indonesian Governments had always agreed that East Timor was too small and poor a country to be a viable independent State. Certainly, they must have forgotten that about 30 States Members of the United Nations were of the same size or smaller than the Democratic Republic of East Timor and had the same population or less. In October 1976, it had been revealed that the Indonesian Minister of Justice had told the correspondent of an Australian publication that Indonesia would offer Australia a more favourable settlement on the sea-bed border issue, in the oil-rich Timor Sea, than Portugal had offered in 1974. In other words, the border would be fixed 300 miles north of Australia and about 100 miles south of East Timor. That would mean that an Australian multinational monopoly, together with other multinational oil companies holding leases granted by Australia, would have rights over the area. FRETILIN denounced that proposed settlement as a flagrant denial of the rights of the people of East Timor to control their own natural resources. As a result of widespread opposition in Australia, it had been reported that the Australian Government had quietly broken off negotiations. It had also been reported in an Australian publication that the President of Indonesia had supported the position of the Prime Minister of Australia regarding the build-up of United States naval strength in the Indian Ocean. That was a betrayal of the principles of the non-aligned movement and an instance of blatant collaboration with the United States in its manoeuvres to build up its presence in the Indian Ocean and to establish a naval base at Diego Garcia.

22. During August and September 1976, the international press had reported major advances by FRETILIN forces in regaining control of villages and towns tentatively held by Indonesian regular troops. FRETILIN had destroyed more than 20 Indonesian military positions and had liberated hundreds of prisoners in the concentration camps established by Indonesia. At present, FRETILIN controlled some 85 per cent of national territory.

(Mr. Alkatiri)

23. The question before the Fourth Committee was one of morality, justice and humanity. On the one hand, there was a small nation of fewer than 1 million people - the Democratic Republic of East Timor. On the other, there was the Republic of Indonesia, which had committed an act of armed aggression against the Democratic Republic of East Timor. Under the United Nations Charter, no Government had the right to intervene militarily in the affairs of another State, particularly when its intervention was aimed at the annexation of that State. FRETILIN therefore called on the United Nations to reaffirm the inalienable right of the people of East Timor to self-determination and independence and the legitimacy of their struggle to achieve that right; condemn the persistent refusal of the Government of Indonesia to comply with the provisions of General Assembly resolution 3485 (XXX) and Security Council resolutions 384 (1975) and 389 (1976); reject claims that East Timor had become integrated into Indonesia as the people of the Territory had not been able to exercise freely their right to self-determination and independence; call upon the Government of Indonesia to cease hostilities against the forces of FRETILIN and to withdraw all Indonesian forces from the Territory in compliance with United Nations resolutions; draw the attention of the Security Council, under Article 11, paragraph 3, of the Charter, to the critical situation in the Territory of East Timor and recommend that it take all effective steps for the immediate implementation of its resolutions 384 (1975) and 389 (1976), with a view to securing the full exercise by the people of East Timor of their right to self-determination and independence; call upon all States to respect the unity and territorial integrity of East Timor; and decide to include in the agenda of its thirty-second session an item entitled "Question of East Timor".

24. Mr. Alkatiri withdrew.

25. Mr. BAROODY (Saudi Arabia) said that the right of self-determination had unfortunately been used loosely of late, especially in the Fourth Committee, often to suit the interests and ideologies of particular groups and States. He had had long personal experience with the question in that he had been among those who had worked on the problem in the United Nations since the beginning of the decolonization process. After many discussions with representatives of national liberation movements and the colonial Powers, he felt he had come to know many of the complexities inherent in the concept of self-determination.

26. It was useful, in his view, to distinguish between "internal" and "external" self-determination. No nation or race was entirely homogeneous and no State could claim to be fully representative of all groups and peoples within its borders. It could be seen, then, that internally, within a State, self-determination and the autonomy of groups were terms which were relative in meaning and application. With regard to "external" self-determination, the desire of a group or people to free itself from foreign domination and rule, the problem was less complex. He noted that many of the divisions and troubles afflicting newly-independent countries were the result of actions of the colonial and other major Powers. Timor had been a relatively homogeneous area until its division by the colonial Powers. Like Viet Nam and Korea, it had been divided into spheres of influence. There was no marked east-west separation of the island on the basis of religion or language and

(Mr. Baroody, Saudi Arabia)

it was unfortunate that alien ideologies had been imported to prolong the artificial division of what had once been one area. He warned that ideologies, like religions, were not sacrosanct or universally valid and should not be transplanted. There were, as he understood it, several parties in East Timor, each with its own ideology and aspirations, and he wondered why only one was being recognized at the current hearing. Parties, like politicians, tended to seek power and vain glory and often lost sight of the real interests of people. He urged the petitioner to return to his island and work from within by trying to improve the situation of the people, without brandishing fiery language and ideologies which gave other countries excuses to fish in troubled waters.

27. Indonesia was a polyethnic nation and had legitimate interests in protecting peace and security on the island of Timor. He was pained to see Indonesia, an early leader in the anti-colonialist struggle, maligned by people who were themselves far from perfect and should know better. The temptation to create a mountain out of a molehill could only lead to trouble for States Members of the United Nations.

28. Mr. HOUNGAVOU (Benin) drew the Committee's attention to the statement on East Timor made by his delegation in the Special Committee of 24 (A/AC.109/PV.1052). His delegation had followed closely the latest developments in the annexation of East Timor by the Indonesian Government and, on 17 June 1976, had addressed a note to the Secretary-General of the United Nations drawing the attention of the international community to Indonesia's neo-imperialist activities with regard to East Timor, which bore a resemblance to earlier Indonesian activities in the South Moluccas and western New Guinea.

29. However, neither international imperialism nor its agents could prevent peoples from ultimately exercising their freedom. On 28 November 1975, after centuries of Portuguese colonial occupation, the people of East Timor had declared their independence, in conformity with resolution 1514 (XV), and the United Nations had therefore, in General Assembly resolution 3485 (XXX) and Security Council resolutions 384 (1975) and 389 (1976), pledged full support for the struggle of the people of East Timor for self-determination and independence and condemned the criminal aggression by the Indonesian Government.

30. The assertion that Indonesia's aggression and subsequent actions constituted free integration of the people of Timor into the Republic of Indonesia was completely without foundation. In any case, that aggression should not be allowed to delay the normal process of decolonization in East Timor. In the face of Portugal's defeatist attitude, the United Nations had a duty to help the people of Timor to achieve their independence and to reject the complicity of some States in legalizing Indonesia's aggression. The Indonesian Government maintained that its actions were in conformity with the principles of the United Nations Charter, but his delegation wished to point out that APODETI and UDT, with whose backing the Indonesian Government had acted, did not reflect the real views of the people of East Timor regarding annexation by Indonesia. Those two groups were simply the fifth column used by the Indonesian reactionaries to put their plan into action.

(Mr. Houngavou, Benin)

They represented the interests of the land-owners and the bourgeois bureaucracy left over from the Portuguese colonial administration, which were totally opposed to the real and legitimate interests of the people of Timor.

31. The Indonesian Government had not even attempted to ascertain the real wishes of the people of East Timor because it knew that proper research would reveal that only FRETILIN represented their true aspirations. The people of East Timor, represented by FRETILIN, would continue their struggle until the national territory was liberated and they achieved self-determination without foreign interference. The United Nations had a duty to help them in their struggle to exercise their rights.

32. Mr. CHAN YOURAN (Democratic Kampuchea) referred to the statement made on 5 October 1976 by the Foreign Minister of his country in the General Assembly, referring to the resolutions adopted by the General Assembly at its thirtieth session and by the Security Council calling for a withdrawal of all foreign forces from East Timor and for respect for the territorial integrity of the country and the inalienable rights of its people to self-determination and independence, and expressing support for the just struggle of the people and Government of the Democratic Republic of East Timor, led by FRETILIN, to regain their independence.

33. For centuries, the people of East Timor had fought against Portuguese colonialism in order to gain their right to self-determination and independence. The national uprising, led by FRETILIN, had culminated in the withdrawal of the Portuguese colonialists from the Territory in August 1975. That victory had not only contributed to the cause of independence, sovereignty and territorial integrity for the countries of Asia, Africa and Latin America, but, together with the struggles in the other Portuguese colonies, had led to the complete overthrow of the Caetano régime in Portugal.

34. The Democratic Republic of East Timor had been founded on 28 November 1975, and, on 7 December 1975, the Government of Indonesia had committed large-scale armed aggression against that country, which it had subsequently annexed. Indonesia's action contravened the principle of respect for the independence, sovereignty, territorial integrity and right to self-determination of the people of East Timor.

35. The people of East Timor had taken up arms under FRETILIN's leadership and their liberation struggle, which had expanded and gained in force, bore witness to their unshakeable desire to liberate their territory from foreign domination. Valuable support for their struggle had come from the General Assembly, the Security Council and the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held in Colombo. He was confident that the Fourth Committee would also reaffirm its support for that struggle. His own country, which was bound by ties of solidarity to all peoples struggling for their national liberation, wished to reiterate its firm support for the people of East Timor under the leadership of FRETILIN, and to express its opposition to Indonesia's aggression and annexation of that Territory. It called for the cessation of all foreign

(Mr. Chan Youran, Democratic Kampuchea)

interference in the affairs of East Timor and the immediate and unconditional withdrawal of Indonesian troops. No force, however powerful, could deprive the people of that country of their right to independence, and he was confident that, in persevering in a war of national liberation, in which they relied principally on their own efforts, the people of East Timor, would with the backing of all peace-loving countries, one day regain their independence, sovereignty and territorial integrity.

36. Mr. JAIPAL (India) said it was regrettable that the question of East Timor had divided the anti-colonial group and caused needless controversies arising from differences of opinion over the process of decolonization and, in the particular case of East Timor, over the exercise of the right to self-determination.

37. Under the United Nations Charter, colonial Powers were required to recognize that the interests of the peoples of colonial Territories were paramount, and to lead those peoples towards political independence. In the case of East Timor, historical forces had overtaken that process since the colonial authority had voluntarily withdrawn. Although that had been a welcome development, it had created a power vacuum. As a result, the political parties in East Timor had struggled for supremacy until the party which favoured the Territory's integration into Indonesia had emerged victorious. Constitutional steps had then been taken, including some form of popular consultation, after which East Timor had been integrated into Indonesia.

38. To his mind, integration had been the logical course to follow, since it ended the artificial partition of the island of Timor resulting from its occupation by two different colonial Powers. That did not mean, however, that the case of East Timor should create a precedent in law or in principle, for each case of decolonization had its own special features and must be regarded as a separate issue. There was therefore no need to worry that it would have repercussions on other decolonization questions.

39. East Timor had regained its independence when the colonial Power had withdrawn. Since then, it had chosen to become an integral part of Indonesia. While it was true that colonial peoples should become independent by exercising their right to self-determination, there were many ways of exercising that right. Independence was the birthright of colonial peoples and, after assuming that right, they could decide for themselves what kind of independence they considered suitable for themselves.

40. It was surprising that the former colonial Powers were now the most ardent advocates of self-determination and, in nearly every case, advocated that particular colonial Territories should continue as separate independent entities. No two cases of decolonization were alike; some involved questions of sovereignty and others involved integration into neighbouring States. Rigid application of the same criteria in all cases led to untenable situations like Transkei or Mayotte. The United Nations should not therefore get involved in the internal affairs of countries such as East Timor and should show a greater understanding of the basic objective of the Charter, which was the fact of attaining independence. East Timor had gained its independence and its people were now the masters of their own destiny.

The meeting rose at 5.40 p.m.